

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

CAROLYN HAYTH,

Plaintiff,

v.

Case No. _____

CAMPBELL SOUP COMPANY,

**SERVE: Campbell Soup Company
c/o John J. Fury, Registered Agent
One Campbell Place
Camden, NJ 08103**

Defendant.

COMPLAINT

Plaintiff, by counsel, hereby moves this Court for judgment and execution against the Defendant for the following:

1. Plaintiff, Carolyn Hayth, is, and at all relevant times has been, a resident of the Commonwealth of Virginia.

2. The Defendant, Campbell Soup Company (hereinafter “Campbell Soup”), is, and at all relevant times has been, a corporation organized and existing outside the Commonwealth of Virginia with its principal place of business within the State of New Jersey.

3. This cause of action arose on or about March 15, 2021, within the Commonwealth of Virginia, and particularly, within the Eastern District of Virginia at 6950 Harbour View Boulevard, Suite C, Suffolk, Virginia 23435.

4. On March 15, 2021, Defendant, Campbell Soup, operated and controlled, the warehouse located at 6950 Harbour View Boulevard, Suite C, Suffolk, Virginia 23435.

5. At that time, Defendant, Campbell Soup, had an obligation to maintain the warehouse in a reasonably safe condition for use by the Plaintiff and others.

6. As an invitee on the Defendant's property, the Plaintiff had the right to assume the property would be reasonably safe for her visit and use.

7. As the owner/occupants/entity that had control of the premises, Defendant, Campbell Soup, had a duty to use ordinary care to have the premises in a reasonably safe condition for the Plaintiff's use consistent with her invitation.

8. In addition, the Defendant, Campbell Soup, had an obligation to use ordinary care to warn the Plaintiff of any unsafe condition of which the Defendant knew or should have known.

9. The Defendant, Campbell Soup, through its employees, breached its duties to the Plaintiff in that, among other things, it left the property in a state of disrepair with wooden pallets placed in locations they should not have been placed, and in locations that the Plaintiff and others would not have anticipated or seen.

10. As the Plaintiff was performing her expected obligations within the Defendant's property, she tripped over one of the pallets, which had been negligently left in the walkway, and fell, and suffered a significant injury.

11. The Plaintiff's fall was a direct result of the negligence of the employees of the Defendant, Campbell Soup, in failing to maintain the property in a reasonably safe manner.

12. As a direct result of the Defendant's, Campbell Soup, employees' negligence and the resulting fall, the Plaintiff suffered significant personal injuries which have resulted in her undergoing surgery, incurring substantial medical bills, suffering great pain, mental anguish and inconvenience, and incurring thousands of dollars of expenses to maintain her business as she was unable to work at her calling for months thereafter.

WHEREFORE, the Plaintiff prays for judgment and execution against the Defendant in the amount of \$2,647,583.72 plus pre and post-judgment interest, plus all of her costs in pursuing this matter.

Plaintiff requests a trial by jury.

CAROLYN HAYTH

By 

Of Counsel

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